

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EDYSON MONCADA,

Plaintiff,

ORDER

- against -

CV 2008-0033 (RRM)(MDG)

INTERNATIONAL GEOTECHNICAL ETC., et
ano,

Defendants.

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By letter dated January 28, 2008, J. Papapanayotou, an attorney who advised that he had been retained by the defendants in this action, seeks an exemption from participation in electronic case filing ("ECF"). This application is denied.

Mr. Papapanayotou claims that he is too busy to learn ECF and had withdrawn from practice in federal courts because of his inability to participate in ECF. Since training programs are now available on-line on this Court's website, there is no reason why Mr. Papapanayotou could not readily now learn ECF, irrespective of his professed technological backwardness and busy schedule. In fact, this Court has expressly directed in the Court's cm/ECF Handbook that an attorney may not seek an exemption from ECF unless he or she has participated in a training program.

Further, while ECF is not yet widespread in the New York State courts, several courts have offered ECF on a voluntary basis. This Court has no reason to doubt that utilization of ECF

will continue to increase in state courts and may someday be mandatory.

However, since Mr. Papapanayotou currently may not be able to participate in ECF, he is excused from ECF for a period of 60 days in order to participate in a training offered by the Court. This Court will arrange to file his January 28th letter, his letter dated February 6, 2008 and any other submissions during this sixty day period.

An initial conference will be scheduled shortly in this case. Insofar as Mr. Papapanayotou seeks to move to dismiss, he is reminded that he must follow the chambers rules of District Judge Roslynn R. Mauskopf before he may do so and must address a pre-motion letter to her. However, prior to doing so, he should confer with counsel for plaintiff whether any discovery will be needed.

SO ORDERED.

Dated: Brooklyn, New York
February 8, 2008

_____/s/_____
MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE